

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WYATT CAMERON MONTCLAIR,

Defendant.

CR-15-21-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 14, 2022. (Doc. 91.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 13, 2022. (Doc. 87.) The United States accused Wyatt Montclair (Montclair) of violating his

conditions of supervised release 1) by failing to follow the instructions of his probation officer; 2) by failing to report for work on three separate occasions; 3) by failing to report for his mental health treatment program; 4) by failing to maintain full time employment; 5) by consuming alcohol; and 6) by using marijuana. (Doc. 86.)

At the revocation hearing, Montclair admitted to violating the conditions of his supervised release 1) by failing to follow the instructions of his probation officer; 2) by failing to report for work on three separate occasions; 3) by failing to report for his mental health treatment program; 4) by failing to maintain full time employment; 5) by consuming alcohol; and 6) by using marijuana. (Doc. 87.)

Judge Johnston found that the violations Montclair admitted proved to be serious and warranted revocation, and recommended revocation of Montclair's supervised release and recommended that Montclair receive a custodial sentence of 7 months, with no supervised release to follow. (Doc. 91.) Montclair was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights.

The violations prove serious and warrant revocation of Montclair's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 91) are **ADOPTED IN FULL. IT IS FURTHER**

ORDERED that Defendant Wyatt Cameron Montclair be sentenced to the Bureau of Prisons for 7 months, no supervised release to follow. This sentence shall run concurrent with the sentence imposed in CR 14-84-GF-BMM.

DATED this 15th day of September, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court